

No. 9/5/84-6Lab/6907.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Haryana Concast Limited, Hissar.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 49 of 1985

• between

SHRI BALBIR SINGH, WORKMAN AND THE MANAGEMENT OF M/S HARYANA
CONCAST LIMITED, HISSAR

Present :

Shri T. C. Gupta, A. R. for the workman.

Shri M. Kaushal, A. R. for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute between the workman Shri Balbir Singh and the management of M/s Haryana Concast Limited, Hissar, to this Court, for adjudication,—vide Labour Department Gazette Notification No. 13346—51, dated 29th March, 1985:—

Whether the termination of services of Shri Balbir Singh is justified and in order? If not, to what relief is he entitled?

2. After receipt of the order of reference, notices were issued to the parties. The parties appeared. The case of the workman is that he was employed with the respondent as a Shipping Assistant on monthly wages of Rs. 750 since the year 1973 and that the respondent chose to terminate his services unlawfully on 30th June, 1979, in flagrant disregard of the provisions of the Industrial Disputes Act, 1947.

3. In the reply by the respondent, the claim of the workman has been controverted in toto. Pleas projected need not be detailed, because this reference is being answered on grounds other than merits.

4. Before issues could be framed, today, the learned authorised Representative of the workman Shri T. C. Gupta made a statement that in view of the law laid down in 1983 Lab. J. C. 223 between Escorts Limited, Faridabad and Industrial Tribunal, Haryana, Faridabad, this reference is bad in law and as such the workman wants to withdraw the same and raise a fresh demand notice. So, nothing remains to be adjudicated upon. The reference is answered and returned accordingly. There is no order as to cost.

Dated the 31st July, 1985.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.

Endorsement No: 49-84/1190, dated 7th August, 1985.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

B. P. JINDAL,

Presiding Officer,
Labour Court, Rohtak,
Camp Court, Hissar.